

AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. A-8636	
Applicant(s): George M. Halow					
Application No. 10/748,185	Filing Date December 31, 2003	Examiner Amy A. Lewis	Customer No. 20741	Group Art Unit 1614	Confirmation No. 5571
Invention: COMPOSITION AND METHOD FOR TREATMENT OF HEPATIC ENCEPHALOPATHY					

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	32 -	25 =	7	x \$25.00	\$175.00	
INDEP. CLAIMS	3 -	3 =	0	x \$100.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$175.00	

☐ No additional fee is required for amendment.

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☒ Any additional filing fees required under 37 C.F.R. 1.16.

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☐ Payment by credit card. Form PTO-2038 is attached.

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Jean A. Buttm

Signature

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Dated: *1 November 2005*

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

George M. HALOW

Group Art Unit: **1614**

Serial No: **10/748,185**

Examiner: **Amy A. Lewis**

Filed : **December 31, 2003**

For : **COMPOSITION AND METHOD FOR TREATMENT
OF HEPATIC ENCEPHALOPATHY**

AMENDMENT UNDER 35 USC §115

11/02/2005 HBEYENE1 00000045 10748185

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner has rejected Claims 15-25 under 35 USC §112, second paragraph, referring to the claim structure. The phrase "method or composition" in these claims was a drafting error and has been modified to correspond to the relevant dependencies of each claim. Withdrawal of this rejection is accordingly requested.

The Examiner has further rejected Claims 1 and 2 under 35 USC §102(b) over Roblin et al. Gastroenterol Clin Biol 18:1146 (1994). The Examiner cites only the title of the article, "Use of polyethylene glycol 4000 in hepatic encephalopathy related to digestive hemorrhages", as grounds for the rejection, although a copy of the article itself (presumably translated from the French) was provided to Applicant.

The full article describes a method for treatment of ruptured esophageal varicose veins associated with portal hypertension in a cirrhosis patient with hepatic encephalopathy (HE), comprising the administration of 2 liters of a PEG 4000 (Fortrans 7) via a gastric probe over two hours to evacuate intestinal blood resulting from acute digestive hemorrhage. (Fortrans is an isotonic colonic lavage solution which contains PEG 4000 and electrolyte, see attached printout (<http://www.emergingp.com/main/fortrans.asp>) of Emerging Pharma website; typically, such PEG lavage solutions contain from about